



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,352	12/30/2003	Martin Finnerty	SBL0029US	7797
33031	7590	12/01/2005		
CAMPBELL STEPHENSON ASCOLESE, LLP 4807 SPICEWOOD SPRINGS RD. BLDG. 4, SUITE 201 AUSTIN, TX 78759			EXAMINER LEE, CHUN KUAN	
			ART UNIT	PAPER NUMBER
			2181	

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/748,352

Applicant(s)

FINNERTY ET AL.

Examiner

Chun-Kuan (Mike) Lee

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Wakai et al. (US Patent 6,587,126).

As per claims 1, 9, 16, 23 and 30, Wakai teaches a computer-readable medium system and method comprising:

a CPU for executing instructions (Figure 8, where "CPU" is read on "processor");

and

a hard drive for storing the instructions (Figure 8, where "hard drive" is read on "memory"), wherein

the hard drive is coupled to the CPU, and

the instructions comprise:

a module of obtaining instructions means for obtaining a request to provide a service, wherein the request conforms to a HTML (Hyper Text Markup Language)

Art Unit: 2181

format (Figures 1-4 and column 13, lines 25-45, where "HTML format" is read on "request format defined in a first language"), and

a printer provides the service (Figure 7 and column 15, line 57 to column 16, line 55, where "printer" is read on "at least one device of a plurality of devices");

a module of identifying instructions means for identifying the printer to provide the service (Figure 7 and column 15, line 57 to column 16, line 55, where "printer" is read on "one device of the at least one device"); and

a module of converting instructions means for converting the request to a process command (column 13, line 44 to column 14, line 7, where "process command" is read on "second request in a second language") wherein

the process command is used for communication with the printer (column 13, line 44 to column 14, line 7 and column 14, lines 31-55).

As per claim 2, Wakai teaches a computer-readable medium system and method comprising directing the process command to the printer (Figures 1-4 and column 13, line 25 to column 14, line 56).

As per claim 3, Wakai teaches a computer-readable medium system and method comprising:

the first language is the HTML format (Figure 1 and column 13, lines 25-44);

the second language is the process command of a plurality of process commands (Figure 2; Figure 7; column 13, line 44 to column 14, line 7 and column 15,

Art Unit: 2181

line 58 to column 16, line 5, where “process command” is read on “device-specific language”),

wherein each of the plurality of devices communicates using one of the plurality of process instruction commands (Figure 7 and column 16, line 6 to column 17, line 7, where “process instruction command” is read on “device-specific language”).

As per claim 4, Wakai teaches a computer-readable medium system and method comprising wherein the request format comprises:

at least one instruction (column 17, lines 8-14), and

printing information to be used when performing the at least one instruction (column 17, lines 8-14, where “printing information” is read on “data”); and

the second request conforms to the process instruction command (column 16, line 6 to column 17, line 7, where “process instruction command” is read on “request format”).

As per claim 5, Wakai teaches a computer-readable medium system and method comprising:

wherein the request specifies use of a printing feature of a printer (Figure 4; Figure 11; Figure 22 and column 14, lines 31-54, where “printing” is read on “specific feature” and “printer” is read on “specific device of the plurality of devices”)

by specifying a “Print” request (Figure 22 and column 23, lines 52-67, where “Print request” is read on “optional variable”, and

providing a PrintJob function for the "Print" request (Figure 22 and column 23, lines 52-67, where "PrintJob function" is read on "value"); and

the converting the request to the second request in the process instruction command comprises (Figure 2, column 13, line 44 to column 14, line 7 and column 16, lines 6-12)

including the "Print" request in the at least one instruction of the second request (Figures 1-2 and column 17, lines 8-14), and

including the PrintJob function for the "Print" request in the data of the second request, wherein the "Print" request and the PrintJob function specify use of the printing feature (Figures 1-2, column 14, lines 31-54 and column 17, lines 8-14).

As per claim 6, Wakai teaches a computer-readable medium system and method comprising sending a response to the request (Figure 1 and column 13, lines 25-44).

As per claim 7, Wakai teaches a computer-readable medium system and method comprising wherein the response conforms to the HTML format (Figure 1 and column 13, lines 25-44, where "HTML format" is read on "response format defined in the first language").

As per claim 8, Wakai teaches a computer-readable medium system and method comprising wherein the response format comprises

Art Unit: 2181

HTML page display instruction (Figure 15 and column 21, lines 38-63, where “HTML page display instruction” is read on “at least one instruction”); and

detailed information of user and the job to be used when performing the HTML page display instruction (Figure 15 and column 21, lines 38-63, where “detailed information of user and the job” is read on “data”).

Claims 10-15, 17-22, 24-29 and 31-36 repeat the limitations of claims 2 and 4-8 are therefore rejected accordingly.

As per claim 37, Wakai teaches an application programming interface system and method comprising:

a request definition for a first command to provide a request for a service (Figures 1-4 and column 13, lines 25-45), wherein

the request conforms to a HTML format (Figures 1-4 and column 13, lines 25-45, where “HTML format” is read on “a request format defined in a first language”),

the HTML format is specified in the request definition (Figure 1),

a printer provides the service (Figure 1 and Figure 7, where “printer” is read on “at least one device of a plurality of devices”),

the printer is identified to provide the service in response to the first command (column 14, lines 31-54, where “printer” is read on “one device of the at least one device”),

Art Unit: 2181

the request is converted to a process command (column 13, line 44 to column 14, line 7, where “process command” is read on “second request in a second language”), and

the process command is used for communication with the printer (column 13, line 44 to column 14, line 7).

As per claim 38, Wakai teaches an application programming interface system and method comprising a response definition for the response format in which a response to the request is provided (Figures 1-2 and column 13, line 24 to column 14, line 7).

As per claim 39, Wakai teaches an application programming interface system and method comprising a conversion definition for a second command to initialize prior to providing the request for the service (Figure 2 and column 13, line 44 to column 14, line 7, where “conversion” is read on “initialization”).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671 and email is chun-kuan.lee@uspto.gov. The examiner can normally be reached on 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Popovici Dov can be reached on (571)272-4083. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(571) 273-8300


Hand-delivered responses should be brought to:

USTPO, Randolph Building, Customer Service Window

401 Dulany Street

Alexandria, VA 22314

C.K.L.
11/15/2005


DOV POPOVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100